

NO. 25482

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

ANIMAL CARE FOUNDATION, INC., Plaintiff-Appellant

vs.

HAWAIIAN HUMANE SOCIETY, INC., and PAMELA BURNS,
Defendants-Appellees

and

JOHN AND MARY DOES 1-10 and DOE CORPORATIONS, PARTNERSHIPS OR
OTHER ENTITIES 1-10, Defendants

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1RC02-1-05422)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.,
and Circuit Judge Nakea, assigned by reason of vacancy)

Upon consideration of the motion for reconsideration of the February 12, 2003 order dismissing appeal, the papers in support and the record, it appears that HRAP 26(c) does not apply to the provisions of HRAP 4(a)(1) and the mailing of the notice of appeal to the district court did not affect the thirty-day period for filing the notice of appeal. Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is denied.

DATED: Honolulu, Hawai'i, March 3, 2003.